

**JUDGE CARTER**

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

ORIGINAL

UNITED STATES OF AMERICA

INDICTMENT

- v. -

16 Cr.

PATRICK BADAL,  
KAIUM SHAH,  
KENNY NI, and  
PARVEZ SHAZZED,

**16 CRIM 497**

Defendants.

COUNT ONE

(Conspiracy to Traffic in Counterfeit Goods)

The Grand Jury charges:

1. From at least in or about December 2014 up to and including in or about May 2016, in the Southern District of New York and elsewhere, PATRICK BADAL, KAIUM SHAH, KENNY NI, and PARVEZ SHAZZED, the defendants, knowingly and intentionally did conspire together and with others, known and unknown, to traffic in goods and services and knowingly use a counterfeit mark on and in connection with such goods and services, to wit, BADAL, SHAH, NI, and SHAZZED, agreed to distribute counterfeit fragrances and perfumes for profit.

(Title 18, United States Code, Section 2320.)

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COUNT TWO

(Trafficking in Counterfeit Goods)

The Grand Jury further charges:

2. From at least in or about December 2014 up to and including in or about May 2016, in the Southern District of New York and elsewhere, PATRICK BADAL, KAIUM SHAH, KENNY NI, and PARVEZ SHAZZED, the defendants, knowingly and intentionally did traffic and attempt to traffic in goods and services, and did knowingly use a counterfeit mark on and in connection with such goods and services, to wit, BADAL, SHAH, and NI assembled and sold counterfeit fragrances and perfumes throughout the United States, and SHAZZED re-sold them in New York City.

(Title 18, United States Code, Sections 2320 and 2.)

COUNT THREE

(Smuggling Goods into the United States)

The Grand Jury further charges:

3. From at least in or about December 2014 up to and including at least in or about May 2016, in the Southern District of New York and elsewhere, PATRICK BADAL and KAIUM SHAH, the defendants, fraudulently and knowingly, did import and bring into the United States, merchandise contrary to law, and received, concealed, bought, sold, and facilitated the transportation, concealment, and sale of such merchandise after importation, knowing the same to have been imported and brought

into the United States contrary to law, to wit, BADAL and SHAH imported counterfeit packaging falsely described as other materials.

(Title 18, United States Code, Sections 545 and 2.)

**FIRST FORFEITURE ALLEGATION**

3. As a result of committing the offenses alleged in Counts One and Two of this Indictment, PATRICK BADAL, KAIUM SHAH, KENNY NI, and PARVEZ SHAZZED, the defendants, shall forfeit to the United States of America, pursuant to Title 18, United States Code, Section 981(a)(1)(C) and Title 28, United States Code, Section 2461, any and all property, real or personal, which constitutes or is derived from proceeds traceable to a violation of the offenses alleged in Counts One and Two of this Indictment, and pursuant to Title 18, United States Code, Section 2323, any property used, or intended to be used, in any manner or part to commit and facilitate the commission of the offenses charged in Counts One and Two of this Indictment, and any property constituting or derived from any proceeds obtained directly or indirectly as a result of the commission of the offenses alleged in Counts One and Two of this Indictment.

**SECOND FORFEITURE ALLEGATION**

4. As a result of committing the offense alleged in Count

Count Three of this Indictment, PATRICK BADAL and KAIUM SHAH, the defendants, shall forfeit to the United States of America, pursuant to Title 18, United States Code, 982(a)(2)(B), any property constituting, or derived from, proceeds the defendants obtained directly or indirectly as a result of the commission of the offense alleged in Count Three of this Indictment, and, pursuant to Title 18, United States Code, 545, any merchandise introduced into the United States as a result of the commission of the offense alleged in Count Three of this Indictment, or the value thereof.

**Substitute Asset Provision**


5. If any of the property described above, as a result of any act or omission of the defendants:

- a. cannot be located upon the exercise of due diligence;
- b. has been transferred or sold to, or deposited with, a third party;
- c. has been placed beyond the jurisdiction of the court;
- d. has been substantially diminished in value; or
- e. has been commingled with other property which cannot be divided without difficulty;

it is the intent of the United States of America, pursuant to Title 18, United States Code, Sections 545, 981(a)(1)(C), 982(a)(2)(B), and 2323, Title 21, United States Code, Section 853(p), and Title 28, United States Code Section 2461(c), to seek forfeiture of any other property of the defendants up to the value of the of the above forfeitable property.

(Title 18, United States Code, Section 545;  
Title 18, United States Code, Section 981;  
Title 18, United States Code, Section 2323;  
Title 21, United States Code, Section 853; and  
Title 28, United States Code, Section 2461.)

  
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FOREPERSON

  
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PREET BHARARA  
United States Attorney

Form No. USA-33s-274 (Ed. 9-25-58)

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UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

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UNITED STATES OF AMERICA

v.

PATRICK BADAL,  
KAIUM SHAH,  
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Defendants.

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INDICTMENT

16 Cr.

(18 U.S.C. §§ 545, 2320 & 2.)

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PREET BHARARA  
United States Attorney

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*Deputy* Foreperson

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7/21/16 Filed Indictment

*on*

Judge Wetburn